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EAST TIMOR

Protesters beaten, detained, "disappeared"

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detainees. It also calls again upon the government to ensure that no one is detained solely for the peaceful expression of their political views, including opposition to Indonesian rule.

Student protesters beaten, detained, "disappeared" on 14 July

Security forces violently broke up a demonstration at the University of East Timor (UNTIM) campus on 14 July 1994. Dozens of students were severely beaten by police and military authorities and some were seriously injured. Up to four people may have been killed although this has not been confirmed. Twenty two people, and possibly many more, were arrested during and after the demonstration. Restrictions on access to police and military detention centres by independent human rights monitors have rendered it impossible to determine the number, fate and whereabouts of those arrested and there is serious concern that detainees may be at risk of torture and that some have "disappeared". By 16 July, residents had reported that large numbers of people were visiting the offices of the International Committee of the Red Cross (ICRC) daily for news of friends or relatives who may have "disappeared".

The demonstration followed an incident which occurred at around 9am on 13 July. Three or four men, who may have been plainclothes military intelligence agents, entered the UNTIM campus and insulted two Roman Catholic nuns, asking when they would "get pregnant" or "get married". Other students became angry and sought out the four men. A clash ensued in which one person may have been killed and three were seriously injured. After this incident, a large number of students gathered to plan a demonstration. Military and civilian officials went to the campus to hold discussions with the students but were unable to disperse the crowd. Troops remained on campus overnight.

The following day, on 14 July, about 200 students attempted to march from the university to the regional parliament building (DPRD) in Dili. According to the official version of events the demonstrators began throwing stones and security forces moved in to prevent "security problems". Eyewitnesses stated that, on the contrary, the demonstration was largely peaceful and that the march was stopped less than 50 metres from its starting point. They reported that police and military moved in on the students, using shields and tear gas and indiscriminately beating the demonstrators with riot batons. On 17 July the Rectorate of the University of East Timor issued a statement which challenged the official account of the demonstration. It said, in part:

> *We were witness to, we saw, we were close to the event as it unfolded and were witness to the fact that the violence was not initiated by the demonstrators, that the injuries inflicted on the wounded were not only the*

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Introduction

Despite Indonesian Government assurances that the situation in East Timor is "normal", and that human rights problems have been resolved, tension between Indonesian security forces and the East Timorese has intensified in recent weeks. While the Indonesian Government has insisted upon its commitment to human rights principles, in practice anyone who expresses even the mildest criticism of Indonesian rule in East Timor is at risk of human rights abuse.[1] Human rights investigation and monitoring, including that conducted by a United Nations (UN) observer in July, continues to be subject to heavy restrictions by the military; and East Timorese who approach UN representatives, or other foreign delegations, risk arbitrary arrest and torture. In recent months the Indonesian Government has also exerted pressure upon other Southeast Asian Governments to forbid conferences at which human rights in East Timor will be discussed.

Serious human rights violations, including beatings and arbitrary detention were reported after students organized a peaceful protest demonstration on 14 July. Residents in Dili have reported that up to nine people have "disappeared" since the demonstration. Towards the end of July the military command in East Timor was reported to be searching for anyone suspected of organizing or participating in the demonstration. One student is said to have been publicly beaten and tortured. Students, church workers and other activists continue to be subjected to threats and intimidation by the military. Three other activists, and possibly many more were reportedly arrested for organizing a brief demonstration during a visit of the UN Special Rapporteur on extrajudicial, arbitrary and summary executions, also in July.

These developments confirm fears expressed by Amnesty International in its annual statement before the United Nations Special Committee on Decolonization on 13 July. The statement provided evidence of violations, including extrajudicial execution, "disappearance", torture and arbitrary arrest in the year following delivery of its July 1993 statement. Amnesty International deplores the recent beatings and torture of students and other pro-independence activists. It calls upon the Indonesian Government to act immediately to stop beatings and torture and to guarantee the safety of all

[1] Indonesia invaded East Timor in 1975 and has occupied the territory since then, in defiance of several United Nations resolutions.

result of stone-throwing but were more the result of the violence perpetrated by the security forces. Some stone throwing did indeed take place but those who did so have not been identified, nor is it clear who was throwing stones at whom.

The statement also said the most serious injuries were sustained by students who jumped over the fence surrounding the campus into the adjacent quarters of Company C of Battalion 744 of the armed forces, where they were beaten by soldiers.

One student organizer, 27-year-old **Mateus Afonso**, was reportedly captured on 23 July by soldiers from Indonesia's special forces command *Kopassus*. After admitting that he had organized the 14 July demonstration he and a colleague were publicly beaten. Eyewitnesses, who have asked not to be named, said that the torture lasted for three hours. After the beating he was taken away by the soldiers and he has not been seen since. Harassment and intimidation since the demonstration has not been confined to the direct participants. Roman Catholic nuns in the Manatuto area are said to have been shot at by soldiers. Staff members of East Timor's newspaper *Suara Timor-Timur*, have been intimidated and the staff car burned by Indonesian soldiers apparently because the paper reported the events of 13 and 14 July.

Official and military versions of the demonstration and its aftermath are directly contradicted by eyewitness testimony including that of the Rectorate of the University, highlighting yet again that official information about military actions in East Timor cannot be taken at face value. Following the demonstration a military spokesman in East Timor said that ten people had been detained for questioning and that eight others were being treated for injuries. Data at the police station in Dili reportedly indicated that 14 protesters had been injured and another 14 detained.[2] Military and other officials in Dili categorically denied that anyone had been killed.[3] On 18 July a military spokesman in Dili stated that 14 people were being held for questioning but that only four were students. He said the others were "outsiders" who had organized the protest and that one of them had a knife.

Information from independent sources indicates that these figures may be at best inaccurate and at worst seriously misleading. The problem of establishing exactly how many people were arrested has been compounded by the military and police practice of issuing separate and incomplete statements about total numbers of arrests. Residents and human rights activists have compiled the names of 22 people who were arrested during

[2] *Jakarta Post*, 15 July 1994.

[3] Press Statement, Indonesian Embassy in the United Kingdom, 14 July 1994.

the demonstration who, by 25 July, were thought to be held either in police custody or at the military headquarters of Battalion 744. The whereabouts of nine more people are reportedly unknown and they may have "disappeared" while in police or military custody.[4] By 24 July seven of the eight students admitted to the hospital were reported to have been discharged but the whereabouts of the eighth remained unknown.

UN Special Rapporteur visits Jakarta and East Timor

Earlier in July, three people were reported to have been arrested in connection with a visit to East Timor by the UN Special Rapporteur on extrajudicial, arbitrary and summary executions in July. **Francisco Malak**, **Geronimo Comisari** and **Geronimo Etnou** apparently waited at various points along a route to be travelled by the Rapporteur and, as he passed, jumped forward briefly and unfurled pro-independence banners before retreating. The three, from the Desa Kulu-Hun district of Dili, were arrested on 10 July. Their current fate and whereabouts are unknown and there are serious fears for their safety.

The UN Special Rapporteur visited Jakarta and East Timor between 3 and 13 July 1994.[5] Before leaving Jakarta he told the press that the UN Commission on Human Rights had considered insufficient the information provided so far by the government about the numbers of people killed or "disappeared" during and after the November 1991 Santa Cruz massacre in East Timor's capital, Dili. The Special Rapporteur told reporters that he had posed precise questions about what autopsies had been performed, who had conducted the official inquiry into the massacre, what methods had been used and what results had been obtained. A full report of the visit will be published before the 1995 session of the UN Commission on Human Rights, to be held in February and March.

Virtually all visits by foreign delegations to East Timor, illegally occupied by the Indonesian Government since 1975, have been accompanied by widespread reports of military intimidation, including death threats, beatings and arbitrary arrest, of real and suspected opponents of Indonesian rule. East Timorese who approach foreign visitors

[4] The names of the 31 people reported to have been arrested are reproduced as an Appendix to this document.

[5] The purpose of the visit was to investigate the Indonesian Government response to the Santa Cruz massacre of November 1991. During the massacre an estimated 270 were killed when Indonesian troops opened fire on peaceful demonstrators. A further 200 people reportedly "disappeared" in the immediate aftermath of the massacre. A resolution, passed by the UN Commission on Human Rights in 1993, called upon the Indonesian Government to identify the dead and the missing but the government has to date failed to do so.

are liable to be taken into custody for questioning, and some have been tortured or tried unfairly and imprisoned.

Indonesian Government moves to forbid discussion of East Timor in Southeast Asia

In a separate development, the Government of Thailand "blacklisted" eleven East Timorese who planned to visit Bangkok to attend a human rights conference scheduled to coincide with a ministerial meeting of the Association of Southeast Asian Nations (ASEAN) Governments from 19 to 25 July.[6] A Thai Government representative said the ban was in line with the "ASEAN spirit" of not allowing one country to be used to discredit another. The Thai Government source said it had not been necessary for the Indonesian Government to object to the meeting because they did not want to face difficulties similar to those confronting the Philippines, where an East Timor conference took place in May and June. The Indonesian Government had exerted heavy pressure on the Philippine Government, threatening to withdraw its role as intermediary in peace talks between the Philippine Government and an armed Muslim opposition group, postponing a business conference and arresting Filipino fishermen who had strayed into Indonesian waters.

On 22 July the Thai authorities deported three foreign participants in the conference, including the media director for the National Council of Maubere Resistance (CNRM), the umbrella organization for groups seeking East Timorese independence. The following day, three other foreign participants were prevented by Thai security guards from reading and distributing a statement in the Bangkok hotel where the ASEAN meeting was being held. The statement, prepared by regional human rights activists, accused the Indonesian Government of stifling regional discussion on human rights violations, including extrajudicial execution, torture "disappearance" and detention without trial.

Amnesty International's 1994 statement to UN Special Committee on Decolonization

On 13 July Amnesty International delivered an oral statement before the UN Special Committee on Decolonization. In the year since Amnesty International last addressed the UN Special Committee on Decolonization, torture and ill-treatment have remained the centre-piece of a strategy for silencing real and suspected political opponents of Indonesian rule in East Timor, and for extracting political intelligence through intimidation and coercion. Extrajudicial executions have continued to be reported, while

[6] ASEAN member states are: Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand.

the fate of those killed or "disappeared" in the Santa Cruz massacre of November 1991, and in previous years, has yet to be clarified. Following a well-established pattern, hundreds of alleged political opponents have been arbitrarily detained within the past year, and at least 26 are currently serving terms of up to life imprisonment following unfair political trials.

Amnesty International's statement argued that, because of their silence and inaction in the past year, member states of the UN share responsibility with the Government of Indonesia for the continuing human rights problem in East Timor. In 1994 the weakness of the international posture toward Indonesia was epitomized by a Consensus Statement read by the Chair of the UN Commission on Human Rights in March of 1994. Despite the fact that the Indonesian Government had failed utterly to implement any of the concrete recommendations made in previous resolutions - in particular the Commission's 1993 resolution - the Consensus statement praised the government for unspecified "positive measures" it had taken toward the protection of human rights. The dangers inherent in such a weak statement have been grimly illustrated by evidence of continuing human rights violations in the past year. Far from encouraging the Indonesian authorities to improve their human rights practice - as some government claimed it would do - the Consensus statement appears only to have encouraged them to preserve the status quo.

Despite its stated commitment to the protection of human rights, the Indonesian Government has done little to investigate past violations, and has failed to take significant measures to prevent their future occurrence. Military authorities continue to dominate the government and to operate with considerable autonomy in East Timor, with scant regard to human rights concerns. With rare exceptions, the perpetrators of human rights crimes have not been brought to justice. Finally, notwithstanding repeated government claims of increased openness, access to the territory remains restricted and some international human rights organizations - including Amnesty International - continue to be denied access to the territory altogether.

APPENDIX
People detained during or after 14 July demonstration at University of East Timor Held at police station or Battalion 744.

Agustino da Costa Mendonsa, Becora*
Alberto Jesus, Becora
Augusto, Beto
Carlito Mascarenhas, Balide**
Cristov da Jesus, Aituri Laran
Domingos Conceição, Balide
Edmundo dos Reis, Bairro Pite
Edmundo da Cruz, Hospital
Francisco Martins, Bairro Pite**
Francisco Jesus, Beto
Gomes Gonsalves, Becora
Jaime Hamjam, Bairro Pite
Joanico Pereira, Becora
Justino de Jesus, Taibesse
Manuel Exposto, Beto
Manuel Abilio Beto
Maria da Costa Ximenes, Aituri Laran
Martinho Pereira, Balide
Mateus Alves, Balide
Sabino Mendonsa, Aituri Laran
Saturnino Alves, Quintal Bot

* District of origin.
** May have been taken to Military Hospital at Wirahusada and subsequently discharged.

"Disappeared", during or after 14 July demonstration at University of East Timor

Ana Bela Guterres, Taibesse
Aniceto das Neves, Taibesse
Antonio Fernandes, Aituri Laran
Antonio Neves, Aituri Laran
Cipriano Oliveiro, Aituri Laran
Francisco Leão, Aituri Laran
Francisco de Jesus, Aituri Laran
Manuel Sarmento, Aituri Laran
Mateus Afonso, Desa Kulu-hun
Osorio Florindo, Aituri Laran

Arrested, possibly "disappeared" on 10 July in connection with visit by UN Special Rapportuer on extrajudicial, arbitrary and summary executions

Francisco Malac
Geronimo Comisari
Geronimo Etnou

RECOMMENDED ACTIONS: Please send airmail leters in English or your own language:

The 14 July demonstration

- Expressing concern about recent reports of beatings, aribtrary detention and "disappearance" in East Timor during and after the 14 July demonstration. **[Please list the names of those arrested and "disappeared"].**

- Urging the Indonesian Government to take immediate steps to clarify the names and numbers of all those arrested during and after the 14 July demonstration at UNTIM, Dili, and the places where they are held.

- Urging the government to allow detainees immediate access to lawyers, doctors, relatives and representatives of the International Committee of the Red Cross (ICRC).

The UN Special Rapporteur's visit

- Expressing concern for the safety of the three people **[please list names]** who are reported to have been arrested for unfurling pro-independence banners during the visit of the UN Special Rapporteur on on extrajudicial, summary or arbitrary executions.

- Urging the authorities to clarify their current whereabouts.

- Noting with regret that East Timorese appear to have been detained for approaching the UN Special Rapporteur and expressing their views about the future political status of East Timor.

- Noting also that the Special Rapporteur visited East Timor following a 1993 resolution by the UN Commission on Human Rights; and that the resolution had condemned human rights violations in East Timor.

General

- Urging the government to immediately release all those detained solely for the peaceful expression of their political views, including those for independence from Indonesian rule in East Timor.

APPEALS TO:

1. Abilio Jose Osorio Soares [Governor of East Timor]
Gubernur KDH 1 Timor Timur
Jl. Inpantai D. Hendrikue
Dili
East Timor (Indonesia)

2. Brig-Gen R. Adang Ruchiatna [Military Commander for region covering East Timor]
Pangdam IX/Udayana
Markas Besar Kodam IX Udayana
Denpasar
Bali
Indonesia

3. Colonel Johny Lumintang [Military Commander, East Timor]
Markas KOREM 164/Wiradharma
Dili
East Timor (Indonesia)

COPIES OF YOUR APPEALS TO:

Gen. Edi Sudrajat [Minister of Defence and Security]
Menteri Pertahanan dan keamanan
Jalan Medan Merdeka Barat No. 13-14
Jakarta 10110
Indonesia

Lt.Gen. (Ret.) Ali Said
Chair, Komnas HAM [National Commission on Human Rights]
c/o Directorat Jenderal Pemasyarakatan
Jl. Veteran No. 11
Jakarta Pusat
Indonesia

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